

# EXHIBIT 1

1 IN THE UNITED STATES DISTRICT COURT  
2 IN AND FOR THE DISTRICT OF DELAWARE  
3 - - -  
4 CORDIS CORP., : CIVIL ACTION  
5 Plaintiff :  
6 vs. :  
7 MEDTRONIC AVE, INC., :  
8 BOSTON SCIENTIFIC CORP. :  
9 and SCIMED LIFE SYSTEMS, INC., :  
10 Defendants : NO. 97-550 (SLR)  
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11 MEDTRONIC AVE, INC., : CIVIL ACTION  
12 Plaintiff :  
13 vs. :  
14 CORDIS CORPORATION, JOHNSON & :  
15 JOHNSON and EXPANDABLE GRAFTS :  
16 PARTNERSHIP :  
17 Defendants : NO. 97-700 (SLR)  
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18 BOSTON SCIENTIFIC CORPORATION, : CIVIL ACTION  
19 Plaintiff :  
20 vs. :  
21 ETHICON, INC., CORDIS CORPORATION :  
22 and JOHNSON & JOHNSON :  
23 INTERVENTIONAL SYSTEMS CO., :  
24 Defendants : NO. 98-19 (SLR)  
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BEFORE: HONORABLE SUE L. ROBINSON, Chief Judge

23 Valerie J. Gunning  
Official Court Reporter

1 there are any other issues with respect to other  
2 proceedings. I know there's an issue with respect to the  
3 use of the verdict in this case for the arbitration with  
4 respect to whether the ACS Multi-link is covered by this  
5 patent, and I think that's an important issue, and I  
6 would like to hear from you folks about that, because  
7 it's difficult for me, the ACS stent of all the stents  
8 that were at issue initially was the stent that most  
9 closely -- was most closely patterned after some of the  
10 claims because it's a tube, if slots were taken out.

11 You know, so it's hard for me to imagine  
12 that there's a real issue here, but obviously, I'm not  
13 an advocate, I've just sat through this testimony  
14 enough.

15 So, Mr. Underhill, why is it that you think  
16 Cordis has to prove this once again? And I assume you're  
17 only bringing this up because somewhere you believe they  
18 are precluded from proving it in this trial. Otherwise,  
19 we're just talking about ten minutes of testimony?

20 MR. UNDERHILL: Your Honor, we believe that  
21 they can put on testimony with respect to the ACS. What  
22 they can't do is rely upon the arbitration decision.

23 The arbitration decision was under a  
24 different claim construction. It was under a different  
25 claim construction with respect to substantially uniform